

SUMMARY MINUTES OF THE SAINT PAUL CITY COUNCIL Wednesday, April 25, 2007 - 3:30 p.m.

CITY COUNCIL CHAMBERS, 3RD FLOOR City Hall and Court House 15 West Kellogg Boulevard

Note: All City Council meetings are on the City of Saint Paul's website. Meetings can be viewed in their entirety or a specific item can be viewed. Visit our website at www.ci.stpaul.mn.us/council and click on Watch the Live Webcast

The meeting was called to order at 3:30 p.m. by Council President Lantry.

Present – 7 – Benanav, Bostrom, Harris, Helgen, Lantry, Montgomery, Thune Absent – 0

CONSENT AGENDA (Items 1 - 21)

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED BY A COUNCILMEMBER, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

Councilmember Benanav requested Item 9 be laid over to May 2 for a public hearing. Councilmember Bostrom moved approval of the consent agenda as amended. Adopted as amended Yeas - 7 Nays - 0

Recalled Items

Councilmember Thune moved to recall the following item: Yeas - 7 Nays - 0

Final Order – 07-351 – In the matter of the Operation Costs of the Above Standard Street Lighting System for Rice Park for 2007. (File No. 19041) (Adopted April 18)

Councilmember Thune moved to lay over to June 6

Public hearing continued to June 6 Yeas – 7 Nays – 0

Councilmember Thune moved to recall the following item:

Yeas - 7 Nays - 0

Resolution Ratifying Assessment – 07-352 – In the matter of the assessment of benefits, cost and expenses for the repair of sanitary sewer connections, at the request of the property owners, in conjunction with the Baker/Bellows Phase II RSVP project. (File No. 19014C2) (Laid over on April 18)

Councilmember Thune moved approval.

Adopted Yeas - 7 Nays - 0

COMMUNICATIONS AND ADMINISTRATIVE ORDERS

The following communication from Mayor Christopher Coleman to members of the City Council was read into the record:

"Pursuant to Section 12.12.1 of the City of Saint Paul City Charter, I am hereby notifying you that the position of Fire Chief will be vacant effective May 4, 2007 at 4:30 p.m. Fire Chief Douglas Holton has given me notice that he is resigning as Fire Chief to accept the position of Fire Chief for the City of Milwaukee, Wisconsin."

- Claims of Troy Allison, Marie Arver, Douglas Jones, Mulcahy, Inc., Boyd Phelps, and Orville Rasmussen Jr.
 On file with the City Clerk
- 2. Letters from the Department of Safety and Inspections, Code Enforcement Division, declaring 1039 5th Street East, 851 Conway Street, and 343 Maple Street as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
- 3. Letter from the Office of the City Attorney announcing a public hearing before the City Council on May 2, 2007 concerning all licenses held by Kopilenko International Wines & Liquors, d/b/a International Wines and Liquors, 710 Cleveland Avenue South.

FOR ACTION

4. Resolution – 07-359 – Authorizing the City Employee Picnic Committee to spend City funds and solicit and accept donations on behalf of the City to finance the 2007 City Employee picnic on August 14, 2007.

Adopted Yeas - 7 Nays - 0

5. Resolution – 07-360 – Amending the financing and spending plans in the Department of Fire and Safety Services to purchase a new vehicle for the Fire Investigations Unit.

Adopted Yeas – 7 Nays – 0

6. Resolution -07-361 – Authorizing the Police Department to enter into a Joint Powers Agreement with Murry County Sheriff's office to combat internet crimes against children. Adopted Yeas -7 Nays -0

7. Resolution – 07-362 – Authorizing the Police Department to enter into an agreement with the Public Housing Agency of Saint Paul to provide services for the A Community Outreach Program (ACOP) from April 1, 2007 through March 31, 2008.

Adopted Yeas – 7 Nays – 0

8. Resolution – 07-363 – Authorizing the Police Department to enter into an agreement with Independent School District #625 to provide traffic safety instruction and police coordination to the School's Police Patrol Program for the 2006-2007 school year.

Adopted Yeas – 7 Nays – 0

9. Resolution – 07-364 – Approving the application of the University of St. Thomas, represented by Charlie Potts and Amy Graff, for a sound level variance in order to present live music, with limitations, for an outdoor concert at 2115 Summit Avenue (Foley Plaza) on May 12, 2007 from 7:00 p.m. to 9:00 p.m. Laid over to May 2 for public hearing Yeas – 7 Nays – 0

10. Resolution – 07-365 – Waiving the 45-day notice requirement and granting On Sale Wine and Strong Beer licenses to Coaster Dreams LLC, d/b/a Ngon Vietnamese Bistro, 799 University Avenue West.

Adopted Yeas -7 Nays -0

11. Resolution – 07-366 – Accepting a donation of twenty-eight television sets from Minnesota Sports and Entertainment at the RiverCentre to the Division of Parks and Recreation to be used at City golf course club houses and recreation centers.

Adopted Yeas – 7 Nays – 0

12. Resolution – 07-367 – Authorizing the Division of Parks and Recreation to accept a donation in the amount of \$800 from Divinity Church for financially disadvantaged youth to participate in recreational opportunities in the East Corridor's Recreation Centers.

Adopted Yeas – 7 Nays – 0

13. Resolution – 07-368 – Authorizing the Division of Parks and Recreation to accept a donation in the amount of \$1,500 from the Highland Groveland Recreation Association for the maintenance and operation of field space in the Highland/ Groveland area, and establishing spending and financing plans in the Southwest Corridor Special Fund. Adopted Yeas – 7 Nays – 0

14. Resolution – 07-369 – Authorizing the Division of Parks and Recreation to accept a donation in the amount of \$38,279 from the Como Zoo and Conservatory Society for renovation of the Marjorie McNeely Conservatory (the Green Room).

Adopted Yeas – 7 Nays – 0

15. Resolution – 07-370 – Authorizing the proper City officials to refund Linder's Real Estate Partnership \$4,638.30 (includes interest) for inadvertently assessing property in connection with the 1989 Ratification of Assessments for the Albemarle/Nebraska Paving and Lighting Project (C.F. 89-1770).

Adopted Yeas – 7 Nays – 0

16. Resolution – 07-371 – Authorizing the proper City officials to accept a new public sewer easement from St. Croix Partners, LLC as a part of the Jefferson Commons

Adopted Yeas - 7 Nays - 0

development.

17. Resolution – 07-372 – Authorizing the proper City officials to execute an application for three tax-forfeited properties needed by the Department of Public Works for Right-of-Way purposes on South Robert Street at State and King Streets and for property abutting the Phase II Midtown Greenway Bike Trail Extension.

Adopted Yeas - 7 Nays - 0

18. Resolution – 07-373 – Authorizing changes to the City's Municipal State Aid System to remove County State Aid Highway designation from Water Street.

Adopted Yeas – 7 Nays – 0

19. Resolution – 07-374 – Amending C.F. 06-1096, which vacated property per the petition of Joseph Vance, by correcting a legal description and by adding a previously omitted legal description.

Adopted Yeas - 7 Nays - 0

20. Resolution Approving Assessment – 07-375 – In the matter of the assessment of benefits, cost, and expenses for demolition of vacant buildings at 1036 Norton Street and 960 Duchess Street during March, 2007 [J0704C]; summary abatements (property clean-up) on private property from March 15 to March 29, 2007 [J0705A]; providing weekly garbage hauling services from March 13 to March 27, 2007 [J0705G]; towing abandoned vehicles from private properties during December 2006 [J0609V], and setting date of public hearing for June 6, 2007.

Adopted Yeas - 7 Nays - 0

21. Resolution Approving Assessment – 07-376 – In the matter of the assessment of benefits, cost, and expenses for Tenant Remedy Action Rehabilitation for property at 1123 Galtier Street in February 2007 [TR0702], and setting date of public hearing for June 6, 2007.

Adopted Yeas - 7 Nays - 0

FOR DISCUSSION

22. Report by District 13 representatives on the newly constituted governing board structure, draft bylaws, and a time-line for completion of the merger. (Report requested by Council on December 10, 2006, C.F. 06-759; first progress report presented on February 7, 2007)

Marcia Moermond, Senior Policy Analyst, City Council Office, appeared and said she has been meeting with representatives of the three community councils involved in the merger. They have made good progress and there is a written report on their progress attached to the following resolution:

Suspension Item

Councilmember Benanav moved suspension of the rules to introduce the following resolution:

Resolution – 07-377 – Approving the continuation of funding for Saint Paul District Council 13.

Councilmember Benanav moved approval.

Adopted Yeas -7 Nays -0

ORDINANCES

NOTE: AN ORDINANCE IS A CITY LAW ENACTED BY THE CITY COUNCIL. IT IS READ AT FOUR SEPARATE COUNCIL MEETINGS AND BECOMES EFFECTIVE AFTER PASSAGE BY THE COUNCIL AND 30 DAYS AFTER PUBLICATION IN THE <u>SAINT PAUL LEGAL LEDGER</u>. PUBLIC HEARINGS ON ORDINANCES ARE HELD AT THE THIRD READING.

23. Final Adoption – 07-212 – An ordinance amending the Charter of the City of Saint Paul to place the City Clerk under the authority of the City Council. (Laid over from April 18)

Council President Lantry stated that another public hearing on this ordinance is necessary because the conditions of the City Charter were not met whereby a vote was required by the Council within a certain number of days of the Charter Commission's recommendation.

Councilmember Thune moved to lay over to June 6. Laid over to June 6 for public hearing Yeas - 7 Nays - 0

24. Final Adoption – 07-293 – An ordinance amending Chapter 409 of the Saint Paul Legislative Code to limit the use of funds deposited in the Youth Program Fund to provide fee waivers for youth participants in City recreation programs.

Councilmember Thune moved approval.

Adopted Yeas - 7 Nays - 0

25. Final Adoption – 07-294 – An ordinance amending Section 98.04E (1) and (2) of the Saint Paul Administrative Code concerning entities and employees exempt from the living wage requirement.

Councilmember Helgen moved approval Adopted Yeas – 7 Nays – 0

26. Final Adoption – 07-314 – An ordinance amending Chapter 200 of the Saint Paul Legislative Code to disqualify certain individuals from licensing dogs.

Councilmember Benanav moved approval.

Adopted Yeas - 7 Nays - 0

27. Second Reading – 07-348 – An ordinance amending Chapter 61 of the Saint Paul Legislative Code by adding a new section providing for the automatic termination of conditional use permits under certain conditions. (GS 3038092)

Laid over to May 2 for third reading/public hearing

Councilmember Bostrom requested an overview from the Department of Safety and Inspections at the May 2, 2007 City Council meeting on the reports their office is receiving regarding dog bites and attacks.

Councilmember Thune moved to adjourn the meeting.

| ATTEST: | ADJOURNED at 3:45 P.M. |
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| Mary Erickson Assistant Council Secretary | Kathy Lantry, Council President |
| Submitted by: | May 16, 2007 |
| Mary Erickson | Minutes approved by Council |